

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Lisa D. Skrekla
aka Lisa D. Kurutz
Debtor(s)

Bankruptcy Case No.: 16-10701-TPA
Per December 19, 2017 Proceeding
Chapter: 13
Docket No.: 96 – 87, 89
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 10, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Cenlar (Claim No. 4-2) shall be paid per loan modification at \$764.34 beginning May 2017 then payment changes of record implemented thereafter.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: December 20, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Lisa D. Skrekla
 Debtor

Case No. 16-10701-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: jmar
 Form ID: 149

Page 1 of 2
 Total Noticed: 34

Date Rcvd: Dec 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 22, 2017.

db
 14262593 +Lisa D. Skrekla, 3908 Zimmerman Road, Erie, PA 16510-3661
 14262594 +Aes/pheaafrn, Po Box 61047, Harrisburg, PA 17106-1047
 14262595 Allied Interstate LLC, PO Box 1954, Southgate, MI 48195-0954
 14314120 Apogee Physicians of Pennsylvania, PO Box 708610, Sandy, UT 84070-8610
 14332486 Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 Department Store National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 14262597 +Discover Bank, c/o Weltman Weinberg & Reis, 436 7th Avenue, Suite 2500,
 Pittsburgh, PA 15219-1842
 14262598 +Dsnb Macys, 9111 Duke Blvd, Mason, OH 45040-8999
 14667865 ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
 14262599 +Foundation Radiology Group, 350 N. Orleans Street, Floor 8, Dept. 6235,
 Chicago, IL 60654-1975
 14262601 +LOANDEPOT.COM, LLC, 425 Phillips Blvd., Ewing, NJ 08618-1430
 14291761 +LOANDEPOT.COM, LLC, Cenlar FSB, 425 Phillips BLVD, Ewing, NJ 08618-1430
 14262604 +MERS, 1901 E. Voorhees Street, Suite C, Danville, IL 61834-4512
 14262602 +Matthew K. Fissel, Esquire, KML Law Group, PC, BNY Mellon Independence Center,
 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
 14262603 Merchant's & Medical Credit Corporation, 6324 Taylor Drive, Flint, MI 48507-4685
 14262606 Mortgage Electronic Registrations Syste, solely as Nominee for Loandepot.com LLC,
 PO Box 2026, Flint, Michigan 48501-2026
 14262607 PHEAA, 1200 North Seventh Street, Harrisburg, PA 17102-1444
 14273279 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 14262608 +Phillips & Cohen Associates, Ltd., PO Box 5790, Hauppauge, NY 11788-0164
 14262610 +St. Vincent Health Center, Attn: Billing Dept., 232 West 25th Street, Erie, PA 16544-0001
 14262611 St. Vincent Health Center, PO Box 4045, Gaithersburg, MD 20885-4045
 14262612 State Collection Service, Inc., PO Box 6250, Madison, WI 53716-0250
 14262614 Tri State Pain Institute, LLC, 2374 Village Common Drive, Suite 100, Erie, PA 16506-7201

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

E-mail/PDF: rmscedi@recoverycorp.com Dec 21 2017 01:09:00
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,
 Miami, FL 33131-1605
 14335784 E-mail/PDF: resurgentbknofications@resurgent.com Dec 21 2017 01:08:52
 Ashley Funding Services, LLC its successors and, assigns as assignee of Laboratory,
 Corporation of America Holdings, Resurgent Capital Services, PO Box 10587,
 Greenville, SC 29603-0587
 14262596 +E-mail/Text: csivels@creditcorpsolutionsinc.com Dec 21 2017 01:05:42
 Credit Corp. Solutions, Inc., 63 East 1400 South 408, Sandy, UT 84070-6705
 14277995 E-mail/Text: mrdiscen@discover.com Dec 21 2017 01:04:23 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14262600 +E-mail/Text: bnckohlsnotices@becket-lee.com Dec 21 2017 01:04:25 Kohls/capone,
 Po Box 3115, Milwaukee, WI 53201-3115
 14322795 +E-mail/Text: bankruptcydpt@mcmcg.com Dec 21 2017 01:04:59 MIDLAND FUNDING LLC,
 PO Box 2011, Warren, MI 48090-2011
 14262605 E-mail/Text: bankruptcydpt@mcmcg.com Dec 21 2017 01:04:59 Midland Credit Management, Inc.,
 PO Box 60578, Los Angeles, CA 90060-0578
 14262609 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 21 2017 01:14:30
 Portfolio Recovery Associates, LLC, PO Box 12914, Norfolk, VA 23541-1223
 14277403 E-mail/Text: bnc-quantum@quantum3group.com Dec 21 2017 01:04:32
 Quantum3 Group LLC as agent for, Credit Corp Solutions Inc, PO Box 788,
 Kirkland, WA 98083-0788
 14267624 E-mail/PDF: rmscedi@recoverycorp.com Dec 21 2017 01:09:00
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
 Miami, FL 33131-1605
 14262613 +E-mail/Text: bankruptcydepartment@tsico.com Dec 21 2017 01:05:32 Transworld Systems, Inc.,
 507 Prudential Road, Horsham, PA 19044-2308

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr LOANDEPOT.COM, LLC
 cr* ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
 14320667* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
 (address filed with court: Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541)
 TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-1

User: jmar
Form ID: 149

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Total Noticed: 34

Date Rcvd: Dec 20, 2017

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 22, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 20, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor LOANDEPOT.COM, LLC bkgroup@kmlawgroup.com
John F. Goryl on behalf of Creditor LOANDEPOT.COM, LLC bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor LOANDEPOT.COM, LLC bkgroup@kmlawgroup.com
Lauren Berschler Karl on behalf of Creditor LOANDEPOT.COM, LLC lkarl@kmlawgroup.com,
ddott@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Stephen H. Hutzelman on behalf of Plaintiff Lisa D. Skrekla shutzelman@shapiralaw.com,
shutzelman@ecf.inforuptcy.com;ann@shapiralaw.com
Stephen H. Hutzelman on behalf of Debtor Lisa D. Skrekla shutzelman@shapiralaw.com,
shutzelman@ecf.inforuptcy.com;ann@shapiralaw.com

TOTAL: 8